

110TH CONGRESS  
2D SESSION

# H. R. 6928

To award grants to improve after-school interdisciplinary education programs,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2008

Ms. MCCOLLUM of Minnesota (for herself and Mrs. LOWEY) introduced the  
following bill; which was referred to the Committee on Education and Labor

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## A BILL

To award grants to improve after-school interdisciplinary  
education programs, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “After School Partner-  
5       ships Improve Results in Education Act” or “ASPIRE”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) Nearly 14,000,000 students have no place  
9       to go after school hours, which are associated with  
10      high rates of juvenile crime.

1           (2) Studies show that almost one-third of all  
2       public high school students in the United States fail  
3       to graduate.

4           (3) High school dropouts on average earn less  
5       than high school graduates and are more likely to be  
6       unemployed.

7           (4) High dropout rates have a significant effect  
8       on communities through loss of productivity and rev-  
9       enues, and higher costs associated with incarcer-  
10      ation, health care, and social services.

11          (5) Students consistently cite a lack of interest  
12      in core curriculum and a lack of relevancy to their  
13      future careers as the major reason for dropping out  
14      of high school.

15          (6) It is in the best interest of the United  
16      States to ensure students are qualified to compete in  
17      the global economy.

18          (7) Eighty percent of jobs are classified as  
19      skilled and only 32 percent of high school graduates  
20      are prepared for college.

21          (8) Microsoft's Bill Gates warned that Amer-  
22      ican companies "face a severe shortfall of scientists  
23      and engineers with expertise to develop the next gen-  
24      eration of breakthroughs".

1           (9) Business leaders have stated that a quali-  
2       fied workforce is important to keeping jobs in the  
3       United States.

4           (10) Corporate Voices for Working Families  
5       has called for public and private efforts to create  
6       after-school programs in which young people can de-  
7       velop skills for the 21st century.

8           (11) Opportunities for real-world learning and  
9       seeing the connection between school and getting a  
10      good job improves students' chances of staying in  
11      school.

12          (12) Students involved in after-school programs  
13      have significantly higher attendance rates, score  
14      higher on mathematics and writing assessments, and  
15      are more likely to graduate from high school than  
16      those who are not involved in such programs.

17          (13) Reinforcing core curriculum by integrating  
18      academic work within alternative course material  
19      can lead to significant improvements in student  
20      achievement and engagement, as was shown by the  
21      National Research Center for Career and Technical  
22      Education.

23          (14) After-school programs and community  
24      partnerships offer youth opportunities to develop so-  
25      cial and citizenship skills, and to have access to a

1 variety of mentors and role models from their own  
2 communities.

3 (15) After-school programs can also provide  
4 youth who have extra time for the academic enrich-  
5 ment, career exploration, and skills development they  
6 need to succeed.

7 **SEC. 3. PURPOSES.**

8 The purposes of this Act are to establish and to ex-  
9 pand after-school programs (and other similar pro-  
10 grams)—

11 (1) to improve high school student academic  
12 achievement, overall school success, and graduation  
13 rates by reinforcing core curriculum;

14 (2) to increase student knowledge of, and inter-  
15 est in, high-demand career opportunities;

16 (3) to increase student engagement in learning  
17 by demonstrating how academic content relates to  
18 career opportunities, providing opportunities for civic  
19 engagement and service learning, and providing stu-  
20 dents with marketable skills; and

21 (4) to provide opportunities for students to  
22 broaden their curriculum, to expose students to  
23 learning opportunities outside of their core cur-  
24 riculum of study, and to provide opportunities for

1 students to gain credit towards graduation through  
2 learning outside the traditional classroom.

3 **SEC. 4. NATIONAL MODEL AFTER-SCHOOL INTERDISCIPLI-**  
4 **NARY EDUCATION PROGRAM GRANTS.**

5 (a) GRANTS AUTHORIZED.—

6 (1) IN GENERAL.—From the amounts made  
7 available to carry out this section, the Secretary of  
8 Education shall award grants, on a competitive  
9 basis, to eligible entities to establish or to expand,  
10 in accordance with section 8, national model after-  
11 school interdisciplinary education programs that  
12 would serve to expand the knowledge base for other  
13 after-school interdisciplinary education programs  
14 and to disseminate effective practices.

15 (2) DURATION OF GRANTS.—Each grant  
16 awarded under this section shall be for a period of  
17 not less than 3 years and not more than 5 years and  
18 shall be renewable, based on grant performance, for  
19 a period of not less than 3 years and not more than  
20 5 years.

21 (3) GRANT AMOUNTS.—The grant amounts  
22 awarded pursuant to this section may not be less  
23 than \$5,000,000 total for all grant years.

1           (4) REQUIRED MATCH.—Eligible entities shall  
2           match the grant amount with private funding on an  
3           equal basis.

4           (b) APPLICATION.—To qualify to receive a grant  
5           under this section, an eligible entity shall submit an appli-  
6           cation to the Secretary in such form and manner as the  
7           Secretary may specify, and containing the information de-  
8           scribed in section 7.

9           (c) PRIORITY.—In awarding grants under this sec-  
10          tion, the Secretary shall give priority to applications that  
11          propose to target services to—

12                 (1) a high percentage of students who—

13                         (A) are from low income families;

14                         (B) are struggling students; or

15                         (C) attend schools located in a rural,  
16                         sparsely populated area; and

17                 (2) the families of students described in sub-  
18          paragraph (1).

19   **SEC. 5. STATE GRANTS.**

20          (a) IN GENERAL.—The Secretary shall award grants  
21          in accordance with the allotments under subsection (b) to  
22          each State with an approved application.

23          (b) ALLOTMENTS.—

24                 (1) FORMULA.—From the amounts made avail-  
25          able to carry out this section and remaining after

1 the Secretary makes a reservation under subsection  
2 (d), the Secretary shall allot to each State for each  
3 fiscal year an amount that bears the same relation-  
4 ship to the remainder as the amount the State re-  
5 ceived under subpart 2 of part A of title I of the El-  
6 elementary and Secondary Education Act of 1965 (20  
7 U.S.C. 6331 et seq.) for the preceding fiscal year  
8 bears to the amount all States received under that  
9 subpart for the preceding fiscal year, except that no  
10 State shall receive less than an amount equal to one-  
11 half of 1 percent of the total amount made available  
12 to all States under this subsection.

13 (2) REALLOTMENT OF UNUSED FUNDS.—If a  
14 State does not receive an allotment under this sec-  
15 tion for a fiscal year, the Secretary shall realLOT the  
16 amount of the State’s allotment to the remaining  
17 States in accordance with this section.

18 (c) APPLICATION AND APPLICATION PROCEDURES.—

19 (1) APPLICATION REQUIREMENTS.—In order to  
20 receive a grant under this section for any fiscal year,  
21 a State shall submit to the Secretary, in such form  
22 and manner as the Secretary may require, an appli-  
23 cation that—

24 (A) designates the State educational agen-  
25 cy in such State as the agency responsible for

1 the administration and supervision of programs  
2 assisted under this Act;

3 (B) describes how the State educational  
4 agency will use funds received under this Act,  
5 including funds reserved for State-level activi-  
6 ties;

7 (C) contains an assurance that the State  
8 educational agency will make subgrants under  
9 section 6 only to eligible partnerships that pro-  
10 pose to serve—

11 (i) a high percentage of students  
12 who—

13 (I) are from low income families;

14 (II) are struggling students; or

15 (III) attend schools located in a  
16 rural, sparsely populated area; and

17 (ii) the families of students described  
18 in clause (i);

19 (D) describes the procedures and criteria  
20 the State educational agency will use for review-  
21 ing applications and awarding subgrants under  
22 section 6 to eligible entities on a competitive  
23 basis, which shall include procedures and cri-  
24 teria that take into consideration the likelihood  
25 that a proposed program will help participating



1 students meet local content and student aca-  
2 demic achievement standards;

3 (E) describes how the State educational  
4 agency will ensure that subgrant awards made  
5 under this section 6 are—

6 (i) of sufficient size and scope to sup-  
7 port high-quality, effective programs that  
8 are consistent with the purpose of this Act;  
9 and

10 (ii) in amounts that are consistent  
11 with section 6(a)(4);

12 (F) describes the steps the State edu-  
13 cational agency will take to ensure that such  
14 programs implement effective strategies, includ-  
15 ing providing ongoing technical assistance and  
16 training, evaluation, and dissemination of prom-  
17 ising practices;

18 (G) describes how programs under section  
19 6 will be coordinated with programs under this  
20 Act, and other programs as appropriate;

21 (H) contains an assurance that the State  
22 educational agency—

23 (i) will make awards for subgrants  
24 under section 6 for a period of not less  
25 than 3 years and not more than 5 years

1           and that are renewable, based on grant  
2           performance, for a period of not less than  
3           3 years and not more than 5 years; and

4           (ii) will require each eligible entity  
5           seeking such subgrant to submit a plan de-  
6           scribing how the program funded through  
7           such subgrant will continue after funding  
8           under this Act ends;

9           (I) contains an assurance that funds ap-  
10          propriated to carry out this section will be used  
11          to supplement, and not supplant, other Federal,  
12          State, and local public funds expended to pro-  
13          vide programs and activities authorized under  
14          this Act and other similar programs;

15          (J) contains an assurance that the State  
16          educational agency will require eligible entities  
17          to describe in their applications under section 7  
18          how the transportation needs of participating  
19          students will be addressed;

20          (K) contains an assurance that the State's  
21          application was developed in consultation and  
22          coordination with appropriate State officials, in-  
23          cluding the chief State school officer and the  
24          State director of career technical education, and  
25          other State agencies administering before and

1 after school (or summer school) programs, and  
2 representatives of teacher organizations, par-  
3 ents, students, the business community, com-  
4 munity-based organizations, and labor unions;

5 (L) describes the results of the State's  
6 needs and resources assessment for before- and  
7 after-school activities, which shall be based on  
8 the results of on-going State evaluation activi-  
9 ties;

10 (M) describes how the State educational  
11 agency will evaluate the effectiveness of pro-  
12 grams and activities carried out under section  
13 6, which shall include, at a minimum—

14 (i) a description of the performance  
15 indicators and performance measures that  
16 will be used to evaluate programs and ac-  
17 tivities; and

18 (ii) public dissemination of the evalua-  
19 tions of programs and activities carried out  
20 under section 6; and

21 (N) provides for timely public notice of in-  
22 tent to file an application under this section  
23 and an assurance that the application will be  
24 available for public review after submission.

25 (2) APPLICATION PROCEDURES.—

1 (A) DEEMED APPROVAL.—An application  
2 submitted by a State pursuant to paragraph (1)  
3 shall be deemed to be approved by the Sec-  
4 retary unless the Secretary makes a written de-  
5 termination, prior to the expiration of the 120-  
6 day period beginning on the date on which the  
7 Secretary received the application, that the ap-  
8 plication is not in compliance with this section.

9 (B) DISAPPROVAL.—The Secretary shall  
10 not finally disapprove the application, except  
11 after giving the State notice and an opportunity  
12 for a hearing.

13 (C) NOTIFICATION.—If the Secretary finds  
14 that the application is not in compliance, in  
15 whole or in part, the Secretary shall—

16 (i) give the State notice and an oppor-  
17 tunity for a hearing; and

18 (ii) notify the State of the finding of  
19 noncompliance, and, in such notification—

20 (I) cite the specific provisions in  
21 the application that are not in compli-  
22 ance; and

23 (II) request additional informa-  
24 tion (only as to the noncompliant pro-

1                   visions) needed to make the applica-  
2                   tion compliant.

3                   (D) RESPONSE.—If the State responds to  
4                   the Secretary’s notification described in sub-  
5                   paragraph (C) during the 45-day period begin-  
6                   ning on the date on which the State received  
7                   the notification by resubmitting the application  
8                   with the requested information described in  
9                   subparagraph (C)(ii)(II), the Secretary shall  
10                  approve or disapprove such application prior to  
11                  the later of—

12                   (i) the expiration of the 45-day period  
13                   beginning on the date on which the State  
14                   resubmits the application; or

15                   (ii) the expiration of the 120-day pe-  
16                   riod described in subparagraph (A).

17                   (E) FAILURE TO RESPOND.—If the State  
18                   does not respond to the Secretary’s notification  
19                   described in subparagraph (C) during the 45-  
20                   day period beginning on the date on which the  
21                   State received the notification, such application  
22                   shall be deemed to be disapproved.

23                  (d) RESERVATION.—From the amounts appropriated  
24                  under section 11 for this section, the Secretary shall re-  
25                  serve at least 1 percent but not more than 5 percent for

1 payments to the Bureau of Indian Affairs, to be allotted  
2 in accordance with its respective needs for assistance  
3 under this Act, as determined by the Secretary, to enable  
4 the Bureau of Indian Affairs to carry out the purposes  
5 of this Act.

6 (e) STATE USE OF FUNDS.—

7 (1) AWARDING OF SUBGRANTS.—Each State  
8 that receives a grant under this section shall reserve  
9 not less than 93 percent of such grant for subgrant  
10 awards to eligible entities under section 6.

11 (2) STATE ADMINISTRATION.—A State may use  
12 not more than 2 percent of the amount made avail-  
13 able to such State under subsection (b) for—

14 (A) the administrative costs of carrying  
15 out its responsibilities under this section and  
16 section 6;

17 (B) establishing and implementing a peer  
18 review process for subgrant applications sub-  
19 mitted under section 6 (including consultation  
20 with other State agencies responsible for admin-  
21 istering youth development programs and adult  
22 learning activities); and

23 (C) supervising the awarding of subgrants  
24 to eligible entities under section 6 (including  
25 consultation with other State agencies respon-

sible for administering youth development programs and adult learning activities).

(3) STATE ACTIVITIES.—

(A) IN GENERAL.—A State may use up to 5 percent of the amount made available to the State under subsection (b) for the following activities:

(i) Monitoring and evaluation of programs and activities assisted under section 6.

(ii) Providing capacity building, training, and technical assistance under section 6.

(iii) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under section 6.

(iv) Providing training and technical assistance to eligible entities who are applicants for, or recipients of, subgrants under section 6.

(v) Supporting State-level efforts and infrastructure to ensure the quality and availability of after-school programs.

1 (B) REPORTING REQUIREMENT.—Not later  
2 than 2 years after the date of the enactment of  
3 this Act, and annually thereafter, each State  
4 using funds under paragraph (A) shall report to  
5 the Secretary how such funds are spent.

6 **SEC. 6. SUBGRANTS TO ELIGIBLE ENTITIES FOR AFTER-**  
7 **SCHOOL INTERDISCIPLINARY EDUCATION**  
8 **PROGRAMS.**

9 (a) AUTHORIZATION OF GRANTS.—

10 (1) IN GENERAL.—A State (acting through the  
11 State educational agency in such State) that receives  
12 funds under section 5 shall award subgrants to eligi-  
13 ble entities to expand and to establish after-school  
14 interdisciplinary education programs in accordance  
15 with section 8.

16 (2) ELIGIBLE ENTITIES.—To qualify for a  
17 subgrant under this section, an eligible entity shall  
18 not have received a grant under section 4.

19 (3) DURATION OF AWARDS.—Subgrants award-  
20 ed under this section may be awarded for a period  
21 of not less than 3 years and not more than 5 years  
22 and are renewable, based on grant performance, for  
23 a period of not less than 3 years and not more than  
24 5 years.



1           (4) AMOUNT OF AWARDS.—A subgrant awarded  
2           under this section shall be not less than \$50,000 per  
3           grant year.

4           (5) PRIORITY.—

5           (A) IN GENERAL.—In awarding subgrants  
6           under this section, a State shall give priority to  
7           applications—

8                   (i) proposing to serve—

9                           (I) a high percentage of students  
10                          who—

11                                   (aa) are from low income  
12                                   families;

13                                   (bb) are struggling students;  
14                                   or

15                                   (cc) attend schools located  
16                                   in a rural, sparsely populated  
17                                   area, and

18                           (II) the families of students de-  
19                           scribed in clause (i); or

20                           (ii) submitted by an eligible entity  
21                           consisting of not less than one local edu-  
22                           cational agency serving a middle school or  
23                           high school that receives funds under part  
24                           A of title I of the Elementary and Sec-

1                   ondary Education Act of 1965 (20 U.S.C.  
2                   6311 et seq.).

3                   (B) SPECIAL RULE.—The State shall pro-  
4                   vide the same priority under subparagraph (A)  
5                   to an application submitted by a local edu-  
6                   cational agency if the local educational agency  
7                   demonstrates that it is unable to partner with  
8                   a community-based organization in reasonable  
9                   geographic proximity and of sufficient quality  
10                  to meet the requirements of this section.

11                  (C) GEOGRAPHIC DIVERSITY.—To the ex-  
12                  tent practicable, a State shall distribute  
13                  subgrant funds under this section equitably  
14                  among geographic areas within a State, includ-  
15                  ing urban and rural communities.

16                  (b) APPLICATION.—

17                  (1) IN GENERAL.—To qualify to receive a  
18                  subgrant under this section, an eligible entity shall  
19                  submit an application to the State in such form and  
20                  manner as the State may specify, and containing the  
21                  information described in section 7.

22                  (2) APPROVAL OF CERTAIN APPLICATIONS.—  
23                  The State may approve an application under this  
24                  section for a program to be located in a facility  
25                  other than a secondary school only if the program

1 will be at least as available and accessible to the stu-  
2 dents to be served as if the program were located in  
3 a secondary school.

4 (3) PEER REVIEW.—In reviewing applications  
5 under this section, a State shall use a peer review  
6 process or other method of assuring the quality of  
7 such applications in accordance with section  
8 5(c)(1)(D).

9 (c) PERMISSIVE LOCAL MATCH.—

10 (1) IN GENERAL.—A State may require an eli-  
11 gible entity to match funds awarded under this sec-  
12 tion, except that such match may not exceed the  
13 amount of the subgrant award and may not be de-  
14 rived from other Federal or State funds.

15 (2) SLIDING SCALE.—The amount of a match  
16 under paragraph (1) shall be established based on a  
17 sliding fee scale that takes into account—

18 (A) the relative poverty of the population  
19 to be targeted by the eligible entity; and

20 (B) the ability of the eligible entity to ob-  
21 tain such matching funds.

22 (3) IN-KIND CONTRIBUTIONS.—Each State that  
23 requires an eligible entity to match funds under this  
24 section shall permit the eligible entity to provide all

1 or any portion of such match in the form of in-kind  
2 contributions.

3 (4) CONSIDERATION.—Notwithstanding this  
4 subsection, a State shall not consider an eligible en-  
5 tity’s ability to match funds when determining which  
6 eligible entities will receive subgrants under this sec-  
7 tion.

8 **SEC. 7. APPLICATION REQUIREMENTS FOR ELIGIBLE ENTI-**  
9 **TIES.**

10 To receive a grant under section 4 or a subgrant  
11 under section 6, an eligible entity shall submit an applica-  
12 tion that includes—

13 (1) a description of the programs and activities  
14 to be funded, including—

15 (A) an assurance that the programs and  
16 activities will take place in a safe and easily ac-  
17 cessible facility;

18 (B) a description of how students partici-  
19 pating in the programs and activities will travel  
20 safely to and from the location of the programs;  
21 and

22 (C) a description of how the eligible entity  
23 will disseminate information about the pro-  
24 grams and activities (including their locations)

1 to the community in a manner that is under-  
2 standable and accessible;

3 (2) a description of how the programs and ac-  
4 tivities are expected to meet the purposes outlined in  
5 section 3;

6 (3) an identification of Federal, State, and local  
7 programs that will be combined or coordinated with  
8 the proposed programs and activities to make the  
9 most effective use of public resources;

10 (4) an assurance that the proposed programs  
11 and activities were developed, and will be carried  
12 out, in active collaboration with the schools the stu-  
13 dents attend;

14 (5) a description of how the programs and ac-  
15 tivities will meet the principles of effectiveness de-  
16 scribed in section 8(b);

17 (6) an assurance that the programs and activi-  
18 ties will primarily target students who are from low  
19 income families or are struggling students and the  
20 families of such students;

21 (7) an assurance that funds under this Act will  
22 be used to increase the level of State, local, and  
23 other non-Federal funds that would, in the absence  
24 of funds under this Act, be made available for pro-  
25 grams and activities authorized under this Act, and

1 in no case supplant Federal, State, local, or non-  
2 Federal funds;

3 (8) a description of the partnership between a  
4 local educational agency serving a high school or  
5 middle school and a career technical student organi-  
6 zation, institution of higher education or tribal col-  
7 lege, nonprofit organization, community-based orga-  
8 nization, tribal organization, business, or labor  
9 union;

10 (9) a description of a preliminary plan for how  
11 the proposed programs and activities will continue  
12 after funding under this Act ends;

13 (10) an assurance that the community will be  
14 given notice of an intent to submit an application  
15 and that the application and any waiver request will  
16 be available for public review after submission of the  
17 application; and

18 (11) such other information and assurances as  
19 the State may reasonably require.

20 **SEC. 8. REQUIRED USES.**

21 (a) **REQUIRED ACTIVITIES.**—

22 (1) **IN GENERAL.**—Each eligible entity that re-  
23 ceives a grant under section 4 or a subgrant under  
24 section 6 shall use the funds to expand and to estab-

lish after-school programs and activities that meet the purposes outlined in section 3, including—

(A) not less than one—

(i) mathematics and science education activity;

(ii) language arts, writing, and reading activity; or

(iii) history, geography, or social studies activity; and

(B) not less than one—

(i) career technical education activity;

(ii) business and entrepreneurial education program;

(iii) health and wellness activity;

(iv) environmental and conservation activity; or

(v) arts and music education activity.

(2) ACTIVITY AND PROGRAM TIMES.—In addition to after school, the activities and programs described in paragraph (1) may take place before school, or at any other time that school is not in session, including on weekends and during vacation and summer recess periods.

(b) PRINCIPLES OF EFFECTIVENESS.—

1           (1) IN GENERAL.—Each program or activity de-  
2       veloped under this Act shall meet principles of effec-  
3       tiveness that are—

4           (A) based upon an assessment of objective  
5       data regarding the need for the programs and  
6       activities described in subsection (a), including  
7       activities in the schools and communities;

8           (B) based upon an established set of per-  
9       formance measures, including academic, social,  
10      and behavioral measures, aimed at ensuring op-  
11      portunities for high-quality academic enrich-  
12      ment; and positive youth development; and

13          (C) if appropriate, based upon scientifically  
14      based research that provides evidence that such  
15      programs or activities will help students im-  
16      prove academic achievement, deepen student en-  
17      gagement in learning, and promote positive  
18      youth development.

19          (2) PERIODIC EVALUATION.—

20          (A) IN GENERAL.—Each program or activ-  
21      ity developed under this Act shall undergo a  
22      periodic evaluation to assess its progress toward  
23      achieving its goal of providing high quality op-  
24      portunities for academic enrichment and posi-  
25      tive youth development.



- 1 (B) USE OF RESULTS.—The results of  
2 evaluations under subparagraph (A) shall be—  
3 (i) used to refine, improve, and  
4 strengthen each program or activity, and  
5 to refine the performance measures; and  
6 (ii) made available to the public upon  
7 request, with public notice of such avail-  
8 ability provided.

9 **SEC. 9. SECRETARIAL PEER REVIEW AND APPROVAL.**

10 The Secretary shall establish—

11 (1) a peer-review process to assist in the review  
12 and approval of grant applications submitted under  
13 section 4 and State applications submitted under  
14 section 5; and

15 (2) appoint individuals to the peer-review proc-  
16 ess who are educators and experts in educational  
17 standards, assessments, accountability, high school  
18 improvement, youth development, dropout preven-  
19 tion, and other educational needs of high school stu-  
20 dents.

21 **SEC. 10. NATIONAL ACTIVITIES.**

22 (a) NATIONAL ACTIVITIES.—From the amounts  
23 made available to carry out this section, the Secretary  
24 shall carry out national activities (directly or through  
25 grants and contracts), such as providing technical assist-

1   ance (as described in subsection (b)) to States or eligible  
2   entities carrying out programs or activities under this Act  
3   or conducting a national evaluation of the effectiveness of  
4   programs and activities assisted under this Act.

5       (b) TECHNICAL ASSISTANCE.—The Secretary is au-  
6   thorized to provide technical assistance to States and eligi-  
7   ble entities carrying out programs and activities under this  
8   Act, such as—

9           (1) conducting outreach to ensure widespread  
10   knowledge of the availability of such programs and  
11   activities;

12          (2) annually convening participating States, eli-  
13   gible entities, and organizations providing support to  
14   such States and eligible entities to provide training  
15   and education on best practices;

16          (3) disseminating information on best practices  
17   and successful program models for serving high  
18   school youth; and

19          (4) providing capacity building and training to  
20   ensure high quality programming.

21   **SEC. 11. REGULATIONS.**

22       The Secretary is authorized to prescribe regulations  
23   necessary to implement this Act.

1 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
3 are authorized to be appropriated to the Secretary  
4 \$250,000,000 for fiscal year 2009, and such sums as may  
5 be necessary for each succeeding fiscal year.

6 (b) ALLOCATIONS.—Of the amounts appropriated  
7 under subsection (b), the Secretary shall allocate—

8 (1) 45 percent for grants under section 4;

9 (2) 45 percent for grants under section 5; and

10 (3) 10 percent for national activities under sec-  
11 tion 10.

12 **SEC. 13. LIMITATION ON AUTHORITY.**

13 Any new spending authority or new authority to enter  
14 into contracts provided by this Act, and under which the  
15 United States is obligated to make outlays, shall be effec-  
16 tive only to the extent, and in such amounts, as are pro-  
17 vided in advance in appropriations Acts.

18 **SEC. 14. DEFINITIONS.**

19 In this Act:

20 (1) IN GENERAL.—The terms “local educational  
21 agency”, “secondary school”, and “State educational  
22 agency” have the meanings given the terms in sec-  
23 tion 9101 of the Elementary and Secondary Edu-  
24 cation Act of 1965 (20 U.S.C. 7801).

25 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
26 ty” means a partnership that includes—

1 (A) not less than 1—

2 (i) State educational agency; or

3 (ii) local educational agency serving a  
4 high school or middle school; and

5 (B) not less than 1—

6 (i) career technical student organiza-  
7 tion;

8 (ii) institution of higher education or  
9 tribal college;

10 (iii) nonprofit organization;

11 (iv) community-based organization;

12 (v) tribal organization;

13 (vi) business; or

14 (vii) labor union.

15 (3) INSTITUTION OF HIGHER EDUCATION.—The  
16 term “institution of higher education” has the  
17 meaning given the term in section 101 of the Higher  
18 Education Act of 1965 (20 U.S.C. 1001).

19 (4) NATIONAL MODEL AFTER-SCHOOL INTER-  
20 DISCIPLINARY EDUCATION PROGRAM.—The term  
21 “national model after-school interdisciplinary edu-  
22 cation program” means a high quality, multisite  
23 after-school program, including a program that oper-  
24 ates in multiple States.

1           (5) STRUGGLING STUDENT.—The term “strug-  
2       gling student” means a high school-aged student who  
3       is not making sufficient progress toward graduating  
4       from secondary school with a regular diploma in the  
5       standard number of years; and includes a student  
6       who—

7           (A) has been retained in grade level;

8           (B) is a high school student who lacks ei-  
9       ther the necessary credits or courses, as deter-  
10      mined by the local educational agency or State  
11      educational agency serving such student, to  
12      graduate from secondary school with a regular  
13      diploma in the standard number of years; or

14          (C) is a high school student who—

15           (i) enters a school served by a local  
16          educational agency at grade 9 or higher;  
17          and

18           (ii) is identified by the local edu-  
19          cational agency as being limited English  
20          proficient and as having experienced inter-  
21          rupted formal education.

22          (6) SECRETARY.—The term “Secretary” means  
23          the Secretary of Education.

24          (7) STATE.—The term “State” means each of  
25          the several States of the United States, the District

1 of Columbia, the Commonwealth of Puerto Rico, the  
2 United States Virgin Islands, Guam, American  
3 Samoa, the Commonwealth of the Northern Mariana  
4 Islands, and the Republic of Palau.

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